

Before the  
Federal Communications Commission  
Washington, DC 20554

In the Matter of	)	
	)	
Amendment of the Commission's	)	
Rules that Govern the Amateur	)	RM-10620
Radio Service	)	
	)	
	)	

COMMENTS OF STEPHEN MICHAEL KELLAT

On December 18, 2002, a Public Notice was issued concerning the petition captioned above. The petition comes before the Commission requesting modifications to Part 97 of the Commission's Rules relative to licensing in the Amateur Radio Services. As an amateur radio operator duly licensed by the Commission, I am directly affected by this proposal made to the Commission and therefore do comment herein.

Petitioner, Mr. Dale E. Reich, requests that the Commission once again modify the license class structure of the Amateur Radio Services (hereafter referred to as "ARS"). Petitioner states that the Commission supposedly did not take into account the conversion of licensees in the Novice and Advanced classes being converted in their renewals to come after the license structure was modified. Petitioner requests, in essence, that Novice and Advanced licensees be upgraded into the next higher license classes without further examination. Petitioner couches this request in the overall concept of adding "merit credit" to the licensing system.

These issues were hashed out rather completely most recently as part of the last major Notice of Proposed Rulemaking to affect the ARS.<sup>1</sup> In the biennial regulatory

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<sup>1</sup> *Report and Order*, In the Matter of 1998 Biennial Regulatory Review – Amendment of Part 97 of the Commission's Rules, WT Docket No. 98-143, RM-9148, RM-9150, RM-9196

review proceeding, otherwise popularly known as “restructuring”, a major number of commenters made submissions to the Commission at the time concerning the proposals made. It appears that from the Report and Order that the issue of the structure of license classes was well discussed in that proceeding. Petitioner proposes to the Commission changes to operating privileges for Novice and Technician class licensees that are retrograde in nature. Petitioner also proposes to allow exceptions and modifications to advancement in license class as well as to how initial licenses are obtained. Petitioner states that he wishes to advance the service but advances proposals that discourage currently licensed Novice and Technician class licensees that can only be rectified through either further upgrade of license class or through the waiting of time.

It is ironic to note that, as a Technician class operator, I would be precluded from participating in local SKYWARN operations under the proposal presented because the local repeater upon which the SKYWARN is located outside the proposed revised two-meter band privileges for Technician class licensees. Indeed, under petitioner’s proposal which purports to increase the public service ability of the ARS, I would be precluded from assisting the local SKYWARN operations in Ashtabula County, Ohio, unless I upgraded my license class or waited until I had passed enough time to qualify for the “merit credit” to operate on the repeater necessary. I do not totally understand how petitioner’s proposal aids the ARS in promoting its public service functions as it very well can serve to restrict the carrying out of those functions by certain classes of licensee.

I do most strongly OPPOSE the issuance of a Notice of Proposed Rulemaking as discussed in the petition as the rules change would be negative in nature towards the ARS. I do not understand the need to downgrade the privileges of Technician class

licensees at this time in addition to the downgrading of Novice class privileges. I do not feel that a downgrading of operating privileges is an appropriate way to stimulate the public service capabilities of the ARS as a whole as it would restrict the ability of currently licensed operators in those classes to function in public services roles. This petition does not appear to be in the best interests of the ARS at this time.

Respectfully Submitted,  
/s/ Stephen Michael Kellat  
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December 24, 2002